



# WASHOE COUNTY

"Dedicated To Excellence in Public Service"

[www.washoecounty.us](http://www.washoecounty.us)

CM/ACM \_\_\_\_\_  
Finance DU  
DA ✓  
Risk Mgt. DF  
HR N/A  
Other N/A

## STAFF REPORT

**BOARD MEETING DATE: September 23, 2014**

**DATE:** August 25, 2014  
**TO:** Board of County Commissioners  
**FROM:** Vahid Behmaram, Water Rights Manager, Engineering & Capital Projects  
Community Services Dept., 954-4647, [vbehmaram@washoecounty.us](mailto:vbehmaram@washoecounty.us),  
**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering & Capital Projects,  
Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)  
**SUBJECT:** Approve the Quit Claim Deed to Convey Water Rights transferring 1.00  
acre-feet of water rights from Washoe County to the Gaymond W. Schultz  
and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010.  
(Commission District 2.)

### SUMMARY

Washoe County is conveying a portion of supplemental permit numbers 67368/67369 being 1.00 acre-feet per year, total combined duty, of Pleasant Valley ground water rights to the Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010. These water rights were previously banked with Washoe County in support of future development in the Mt. Rose area by entities that have sold and assigned their interest to the Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

### PREVIOUS ACTION

On March 11, 2014 the Board of County Commissioners (Board) approved a Water Rights Deed to James H. Welch for 4.00 acre-feet from permit 67368/67369 for their use within Pleasant Valley, which use was not subject to the dedication requirements under Article 422 of the Washoe County Development Code.

On July 9, 2013 the Board approved a Water Rights Deed to the Chilton Children's Trust dated December 21, 2012 for 2.00 acre-feet from permit 67368/67369 for their use within Pleasant Valley, which use was not subject to the dedication requirements under Article 422 of the Washoe County Development Code.

### BACKGROUND

The Schultz Trust owns a 10 acre-parcel of land on Bonnie Lane, Assessor's Parcel Number 047-032-10, adjacent to the Montreux subdivision. The Schultz Trust is in the process of developing this property with a single family dwelling and will receive

**AGENDA ITEM #** 613

domestic water service from Washoe County's municipal water system in the area. In addition to domestic water service, the Trust intends to drill a well for landscaping and other esthetic purposes. In order to obtain permission from the Nevada State Engineer to drill the well, the Trust must obtain valid ground water rights from the basin in which the well is to be drilled. The Schultz Trust acquired 1.00 acre-feet of ground water rights from entities who had surplus water rights banked with Washoe County. Those entities sold and assigned their interest in the 1.00 acre-feet of water rights to the Trust.

**FISCAL IMPACT**

There is no fiscal impact associated with execution of the Quit Claim Deed to Convey Water Rights.

**RECOMMENDATION**

It is recommended that the Board of County Commissioners approve the Quit Claim Deed to Convey Water Rights transferring 1.00 acre-feet of water rights from Washoe County to the Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010.

**POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be:  
"Move to approve the Quit Claim Deed to Convey Water Rights transferring 1.00 acre-feet of water rights from Washoe County to the Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010."

VB/lr

Attachments: Quit Claim Deed to Convey Water Rights



## Nevada Water Solutions LLC

Water Rights / Resource Permitting Expertise

**Thomas K. Gallagher, PE**

*Hydrologic Engineer*

**775-825-1653 / FAX 775-825-1683**

675 Siena Rose Dr., #109 / Reno, NV 89511

tomg@nevadawatersolutions.com

August 26, 2014

Vahid Behmaram  
Water Rights Manager, Engineering & Capital Projects  
Washoe County Community Services Department  
4930 Energy Way  
Reno, Nevada 89502

RE: Schultz water rights for transfer to Bonnie Lane parcel 047-032-10

Dear Mr. Behmaram:

On behalf of **Gaymond W. Schultz and Cynthia A. Schultz, Trustees of the Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010**, we respectfully request that you to prepare a deed transferring the water rights held by Washoe County from a portion of Permits 67368 and 67369, with an annual Total Combined Duty of 1.00 acre feet and a proportionate share of the diversion rate of each permit. Nevada Water Solutions LLC will be filing the appropriate applications to change and Report of Conveyance with the Nevada Division of Water Resources.

The original Assignment of Beneficial Interest documents transferring the three separate blocks of water rights totaling 1.00 acre feet from the seller to the Trust were hand delivered to you on August 21, 2014. If you have any questions, please contact me at your convenience.

Best regards,

Thomas K. Gallagher, PE  
Manager  
Nevada Water Solutions LLC

No APN

When recorded, return to:

**Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010**

4975 NADIA CT

Reno, NV 89511

## QUIT CLAIM DEED TO CONVEY WATER RIGHTS

**WASHOE COUNTY**, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys and quit claims to **Gaymond W. Schultz and Cynthia A. Schultz, Trustees of the Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010**, as GRANTEE, the real property consisting of water rights described as follows:

A portion of Supplemental Permit Numbers 67368/67369, on file with the Nevada State Engineer, Division of Water Resources, to appropriate water from an underground source with an annual Total Combined Duty of 1.00 acre-feet and a proportionate share of the rate of diversion of each permit.

**GRANTOR:**

**WASHOE COUNTY**

A political subdivision of the  
State of Nevada

**GRANTEE:**

By: \_\_\_\_\_  
Gaymond W. Schultz, Trustee

By: \_\_\_\_\_  
David Humke, Chairman  
Washoe County Commission

By: \_\_\_\_\_  
Cynthia A. Schultz, Trustee

Trustees the Gaymond W. Schultz  
and Cynthia A. Schultz Inter Vivos  
Trust, dated May 27, 2010

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Nancy Parent, County Clerk

STATE OF NEVADA        )  
                                      ) ss.  
COUNTY OF WASHOE     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, before me, a Notary Public, personally appeared **David Humke**, personally known to me to be the **Chairman of the Washoe County Board of Commissioners**, who acknowledged to me that he executed the foregoing document.

\_\_\_\_\_  
Notary Public

My Commission expires:\_\_\_\_\_

STATE OF NEVADA        )  
                                      ) ss.  
COUNTY OF WASHOE     )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, this Water Rights Deed was acknowledged before me, a Notary Public, by **Gaymond W. Schultz and Cynthia A. Schultz, Trustees of the Gaymond W. Schultz and Cynthia A. Schultz Inter Vivos Trust, dated May 27, 2010**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the above instrument, who acknowledged to me that (s)he executed the instrument.

\_\_\_\_\_  
Notary Public

My Commission expires:\_\_\_\_\_